

By: Zedler

H.B. No. 784

A BILL TO BE ENTITLED

AN ACT

relating to attorney general approval of a state agency action for a declaratory judgment against another state agency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2001.038, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A state agency may challenge the validity or applicability of a rule proposed or adopted by another state agency in an action for declaratory judgment brought under this section only if the attorney general gives written approval authorizing the state agency to file the action.

SECTION 2. Section 2001.038(a-1), Government Code, as added by this Act, applies only to an action for declaratory judgment filed on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.